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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91203057
Party	Defendant Commemorative Derby Promotions, Inc.
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Attachments	032212RespMotSuspProceeding91203057.pdf ( 3 pages )(66552 bytes )

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

*In re* matter of U.S. Application No. 85/219,903  
For the mark **LOUISVILLE JOCKEY CLUB**  
Published in the *Official Gazette* on August 30, 2011

Churchill Downs Incorporated	)	
	)	
Opposer,	)	
	)	
V.	)	
	)	Opposition No. 91,203,057
	)	
Commemorative Derby Promotions, Inc.	)	
	)	
Applicant	)	
	)	

**APPLICANT’S REPONSE TO OPPOSER’S MOTION TO SUSPEND PROCEEDING**

Opposer, Churchill Downs Inc., has moved, pursuant to TBMP § 510.02(a), that this Opposition Proceeding be suspended pending the final determination, through settlement or after final judgment and expiration of all appeal rights, of the Federal Court Action currently pending in the United States District Court for the Northern District of Georgia, styled, Churchill Downs Incorporated v. Commemorative Derby Promotions, Inc., et al., Case No. 1:12-CV-517-JEC (the “**Federal Court Action**”). Applicant, Commemorative Derby Promotions, Inc., does not object to *temporary*, sixty (60) day suspension of this Opposition Proceeding to allow the Parties to pursue the Federal Court Action. Applicant further requests that at the close of this sixty (60) day period, the Parties shall confer and advise the Board whether further suspension of this Opposition Proceeding is necessary in light of the status of the pending Federal Court Action.

This Response to Opposer's Motion to Suspend Proceeding is being filed through the ESTTA System this 22d day of March, 2012.

Respectfully submitted,

/s/ Donald L. Cox

DONALD L. COX

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### **CERTIFICATE OF SERVICE**

I hereby certify that the foregoing Applicant's Response to Opposer's Motion to Suspend Proceeding was served upon counsel of record for Opposer by placing copy of same in an envelope, with sufficient postage prepaid and deposited in an official depository under the exclusive care and custody of the United States Postal Service, and addressed as follows:

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This 22d day of March, 2012.

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